

**FILED**

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

## UNITED STATES DISTRICT COURT

SEP 27 2016

for the

District of New Mexico

MATTHEW S. BERMAN  
CLERK

United States of America

v.

Steven Gurule

Case No.

16mj 3640

Defendant(s)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

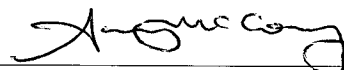
On or about the date(s) of September 14, 2016 in the county of Bernalillo in the  
District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. 751 (a)

a) whoever escapes or attempts to escape from the custody of the Attorney General or his authorized representative, or from any institution or facility in which he is confined by direction of the Attorney General, or from any custody under or by virtue of any process issued under the laws of the United States by any court, judge, or magistrate judge, or from the custody of an officer or employee of the United States pursuant to lawful arrest, shall, if the custody or confinement is by virtue of an arrest on a charge of felony.

This criminal complaint is based on these facts:

See attached sheet

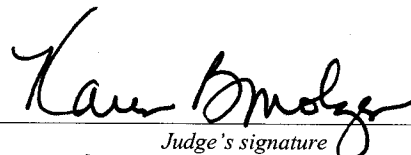
☒ Continued on the attached sheet.

Complainant's signature

Gary McCoy, Deputy U.S. Marshal

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/27/2016City and state: Albuquerque, NM

Judge's signature

KAREN B. MOLZEN  
U.S. MAGISTRATE JUDGE

Printed name and title

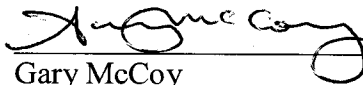
**AFFIDAVIT**

The affiant, Gary McCoy, having been first duly sworn, does hereby depose and state as follows:

1. I am a Deputy U.S. Marshal. I have been so employed since December 18, 2008. As such, I have participated in investigations of suspected violations of 18 U.S.C. § 751(a), that being Escape. The information set forth in this affidavit has been derived from my own investigation or communicated to me by other sworn law enforcement officers or from reliable sources.
2. On June 11, 2014, the defendant was sentenced to 41 months of imprisonment and a term of supervised release of 36 months in case number 13-CR-3525 MCA after pleading guilty to bank robbery.
3. On June 28, 2016, the defendant was placed at Diersen Charities while still being in the custody of the Bureau of Prisons (BOP). The defendant signed an Acknowledgement of Custody form on or about June 28, 2016 which states, "I understand that I am in the custody of the Attorney General of the United States. I further understand that leaving the Residential Center without permission from the Center Director or his/her authorized representative, shall be deemed an escape from the custody of the Attorney General."
4. On or about September 14, 2016, the defendant walked away from Diersen Charities without permission. The defendant was considered to be in custody when he left the halfway house and knew he did not have permission to leave custody.
5. Based on the aforementioned facts, there is probable cause to believe that the defendant committed a violation of 18 U.S.C. § 751(a).


I swear that this information is true and correct to the best of my knowledge, information and belief.

Respectfully submitted,



Gary McCoy  
Deputy U.S. Marshal

Subscribed to and sworn to  
before me, this 27 day of September, 2016



United States Magistrate Judge  
Albuquerque, New Mexico